

ORIGINAL

Decision No. S7S77 SEP 20 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation of)
petroleum and petroleum products)
in bulk, in tank truck equipment)
statewide as provided in Minimum)
Rate Tariff 6-B and the revi-)
sions or reissues thereof.)

Case No. 5436
Petition for Modification
No. 256
(Filed July 28, 1977)
(Amended August 9, 1977)

OPINION AND ORDER

Minimum Rate Tariff 6-B (MRT 6-B) names minimum rates and rules for statewide transportation of bulk petroleum products in tank truck equipment. By this petition, California Trucking Association seeks to amend the special monthly vehicle unit volume tender rates applicable from Chico, Sacramento or Stockton in Item 523 by the addition of a lower scale of rates based on a minimum gallonage of 4,000,000 or more per each monthly volume tender period.

Petitioner states that the vehicle unit volume tender rates were established to enable for-hire carriers to compete more effectively with proprietary operations and have been instrumental in maintaining efficient carrier operations and thus enabling the extension of the lowest possible rates consistent with demands of service. The additional rate bracket based upon a minimum of 4,000,000 gallons and over would enable carriers to broaden the effective use of the item and thus compete more effectively with proprietary operators.

Petitioner in its First Amendment requested that the Commission consider approving the revisions in Exhibit B on an interim basis and that thereafter the Commission issue its further order adopting in the manner suggested in the original petition the revisions proposed in Exhibit A. By Decision S7SS2 the Commission authorized an increase in the rates on petroleum and petroleum products in MRT 6-B

which is related in this present petition to the rates proposed in Exhibit A.

The petition and amendment were listed on the Commission's Daily Calendars of August 1 and 10, 1977, respectively. No objection to the granting of the petition and amendment has been received.

In the circumstances, the Commission finds that petitioner's proposal, as set forth in Exhibit A of the petition, is reasonable and the resulting rates and charges will be just, reasonable and non-discriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition, as amended, should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Minimum Rate Tariff 6-B (Appendix A to Decision 82350, as amended) is further amended by incorporating therein, to become effective twenty-six days after the date hereof, Fourth Revised Page 43-A and Fifth Revised Page 43-B attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision 82350, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

4. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with

this order; and schedules containing the amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decision 82350, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th day
of SEPTEMBER, 1977.

Ralph Bateman

President

William Snow, Jr.

Thomas L. Stinson

Richard D. Howell

Clair T. Smith

Commissioners

MINIMUM RATE TARIFF G-B

SECTION 4--VEHICLE UNIT RATES (Continued)													ITEM
SPECIAL MONTHLY VEHICLE UNIT VOLUME TENDER RATES													
(1) The rates provided in this item apply only when transportation is performed subject to and in accordance with the provisions of this item, and apply when carrier's unit(s) of equipment is (are) used to transport commodities as described in Rate Groups A, B, C or I of Item 30, from one or more of the following points: Chico, Sacramento or Stockton to points in California located within 250 miles of these origins. (2) The provisions of this item apply only when prior to the transportation of the property the consignor has requested verbally or in writing that transportation be performed under the provisions of this item and has elected a special monthly volume tender and charges are prepaid; provided that if requested verbally, the consignor shall place a confirming written request in the United States mail the same day as verbally requested. (For form of agreement see Item 530.) (3) Rates for transportation will be based upon the minimum gallonage tendered by the consignor during the monthly volume tender period and will be determined as follows:													
RATES IN CENTS PER GALLON PER SHIPMENT ² FOR RATE GROUPS SHOWN (Subject to Notes 1 through 8)													
MINIMUM GALLONAGE PER EACH MONTHLY VOLUME TENDER PERIOD													
GALLONS		750,000 to 999,999		1,000,000 to 1,499,999		1,500,000 to 1,749,999		1,750,000 to 1,999,999		2,000,000 to 2,499,999		2,500,000 to 63,999,999	
MILES		Rate Group		Rate Group		Rate Group		Rate Group		Rate Group		Rate Group	
Over	But Not Over	A	B C	A	B C	A	B C	A	B C	A	B C	A	B C
0	15	.71	.82	.69	.81	.68	.79	.65	.76	.64	.75	.62	.71
15	20	.74	.90	.73	.86	.70	.84	.67	.81	.67	.80	.64	.77
20	25	.82	.99	.81	.96	.79	.94	.76	.91	.75	.90	.71	.85
25	30	.87	1.06	.86	1.02	.84	1.00	.80	.96	.79	.95	.76	.91
30	35	.96	1.15	.94	1.12	.92	1.07	.89	1.06	.87	1.03	.83	.99
35	40	1.05	1.25	1.02	1.22	1.00	1.18	.96	1.14	.95	1.13	.91	1.08
40	45	1.15	1.37	1.11	1.32	1.08	1.30	1.03	1.25	1.02	1.23	.98	1.22
45	50	1.24	1.43	1.21	1.40	1.17	1.37	1.13	1.31	1.11	1.29	1.10	1.27
50	60	1.34	1.60	1.31	1.56	1.28	1.52	1.23	1.46	1.22	1.44	1.20	1.42
60	70	1.43	1.74	1.40	1.70	1.37	1.65	1.31	1.58	1.29	1.56	1.27	1.54
70	80	1.55	1.87	1.49	1.82	1.47	1.78	1.42	1.71	1.40	1.69	1.38	1.66
80	90	1.79	2.12	1.65	2.08	1.60	2.06	1.55	2.05	1.53	2.00	1.50	1.96
90	100	1.89	2.25	1.86	2.22	1.82	2.19	1.77	2.18	1.77	2.12	1.75	2.09
100	110	2.06	2.45	2.03	2.41	2.00	2.38	1.98	2.37	1.94	2.32	1.91	2.28
110	120	2.18	2.66	2.13	2.61	2.11	2.58	2.10	2.56	2.05	2.50	2.02	2.46
120	130	2.29	2.81	2.25	2.75	2.22	2.72	2.21	2.71	2.16	2.62	2.12	2.59
130	140	2.41	3.01	2.37	2.94	2.34	2.84	2.33	2.80	2.26	2.76	2.24	2.73
140	150	2.65	3.15	2.58	3.07	2.50	2.97	2.46	2.93	2.43	2.89	2.40	2.86
150	160	2.84	3.36	2.77	3.28	2.66	3.16	2.62	3.13	2.59	3.08	2.56	3.04
160	170	3.02	3.50	2.94	3.41	2.84	3.30	2.80	3.25	2.77	3.21	2.71	3.17
170	180	3.12	3.70	3.06	3.62	2.96	3.49	2.91	3.45	2.88	3.40	2.84	3.36
180	190	3.25	3.89	3.18	3.76	3.06	3.57	3.03	3.48	2.99	3.47	2.96	3.44
190	200	3.33	4.11	3.30	3.97	3.14	3.78	3.06	3.67	3.04	3.65	3.02	3.63
200	225	3.51	4.39	3.47	4.24	3.31	4.03	3.22	3.94	3.20	3.91	3.18	3.88
225	250	4.05	4.74	4.00	4.58	3.81	4.35	3.70	4.25	3.68	4.23	3.66	4.19
The provisions of this item will not apply if the gallonage transported is less than 750,000 gallons. * Includes transportation of commodities described in Rate Group I. (Continued on next page)													
ø Change ø Reduction		} Decision No. 87877											
										EFFECTIVE 10/16/77			
Correction		ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.											

MINIMUM RATE TARIFF b-b

SECTION 4--VEHICLE UNIT RATES (Continued)											ITEM	
SPECIAL MONTHLY VEHICLE UNIT VOLUME TENDER RATES (Concluded)												
RATES IN CENTS PER GALLON PER SHIPMENT FOR RATE GROUPS SHOWN (Subject to Notes 1 through 8)												
MINIMUM GALLONAGE PER EACH MONTHLY VOLUME TENDER PERIOD												
MILES		GALLONS *64,000,000 and Over		MILES		GALLONS *64,000,000 and Over		MILES		GALLONS *64,000,000 and Over		
		Rate Group				Rate Group				Rate Group		
Over	But Not Over	A	B C	Over	But Not Over	A	B C	Over	But Not Over	A	B C	
0	15	.60	.68	50	60	1.15	1.37	130	140	2.16	2.62	
15	20	.62	.74	60	70	1.23	1.48	140	150	2.31	2.75	
20	25	.68	.82	70	80	1.32	1.60	150	160	2.46	2.93	
25	30	.73	.87	80	90	1.44	1.89	160	170	2.60	3.05	
30	35	.80	.95	90	100	1.68	2.01	170	180	2.73	3.23	
35	40	.87	1.04	100	110	1.83	2.19	180	190	2.84	3.31	
40	45	.94	1.17	110	120	1.94	2.37	190	200	2.91	3.49	
45	50	1.05	1.23	120	130	2.04	2.49	200	225	3.06	3.73	
								225	250	3.52	4.03	

* Includes transportation of commodities in Rate Group I.

NOTE 1.--In the application of rates provided in this item, shippers and consignees must have their premises available to carriers to permit loading and unloading in a manner that will allow carrier to maintain a twenty-four- (24) hour-a-day schedule.

NOTE 2.--As used in this item a "special monthly volume tender" shall mean 720 consecutive hours; except that when the tender commences on the 1st day of a calendar month, the tender will cover the full calendar month.

NOTE 3.--Carrier is not obligated to assign more than one (1) unit of carrier's equipment to haul the total gallonage tendered; it is not required that the unit furnished be equipped with meters or pumps.

NOTE 4.--All shipments must be tendered and loaded within the monthly volume tender period. A shipment loaded but not delivered within the monthly volume tender period will be completed and charged under the provisions of this item.

NOTE 5.--Mileage applicable in connection with this item shall be computed in accordance with Item 150.

NOTE 6.--(a) A charge of \$4.15 for each one-quarter (1/4) hour, or fraction thereof, shall be assessed for the time carrier's equipment is detained through no fault of the carrier to complete loading or unloading in excess of the free time specified in Paragraph (b).

(b) A total of two hours free time will be allowed to complete loading and unloading each shipment.

NOTE 7.--When transportation is performed under the provisions of this item, the following provisions will not apply:

- Item 100 -- Application of Combination of Rates
- Item 160 -- Demurrage or Detention Charges
- Item 210 -- Issuance of Shipping Documents
- Item 290 -- Vapor Recovery and/or Bottom Loading Equipment

NOTE 8.--Within 7 days after the start of transportation hereunder, carrier shall bill and collect a prepayment of \$10,670.00. Such payment will be deducted from the total transportation charges accumulated during such tender provided, however, that if the same consignor elects to use the same carrier for a subsequent special monthly tender period beginning within 24 hours, such prepayment shall not be deducted and shall be considered the required prepayment for said subsequent tender. A final billing will be submitted at the end of the monthly volume tender period.

Change)
 Addition) Decision No.
 Reduction)

87877

EFFECTIVE

10/16/77

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
 SAN FRANCISCO, CALIFORNIA.

Correction